

**DECLARATION BY
BEVERLY A. LYMAN, Ph.D., ESQUIRE**

I am a partner with Wood, Herron & Evans, L.L.P. prosecuting the 10/751,232 application for Mallinckrodt.

Dr. Achilefu, the nonsigning inventor, was sent on August 17, 2004 via Federal Express (tracking number 461063468439), a cover letter enclosing the application as filed (specification, claims and drawings), Declaration, Power of Attorney and Petition, and an Assignment of Invention, requesting signature and return by August 25, 2004.

These documents were delivered by Federal Express on August 18, 2004 as evidenced by the tracking slip.

As of today's date, August 26, 2004, the executed documents have not been received from Dr. Achilefu.

Beverly A. Lyman
Beverly A. Lyman, Ph.D., Esquire

08/26/04
Date